

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

CHRISTOPHER JOHN ELLISON	§	
VS.	§	CIVIL ACTION NO. 1:08-CV-878
DIRECTOR, TDCJ-CID	§	

MEMORANDUM OPINION

Petitioner Christopher John Ellison, a former prisoner at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

At the time this petition was filed, petitioner was a prisoner confined at the Stiles Unit. He did not seek relief from his conviction or sentence. Instead, he challenged the constitutionality of a prison disciplinary conviction. Petitioner also alleged that he was denied parole as a result of the disciplinary conviction.

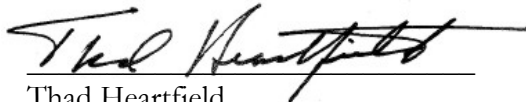
On May 4, 2009, petitioner filed a pleading in which he asserts that his disciplinary conviction was overturned by prison officials. The court has been advised by a TDCJ employee that petitioner was released on parole on June 23, 2009.

Petitioner has received the relief he sought: his disciplinary conviction has been overturned, and he has been released on parole. Therefore, the petition for writ of habeas corpus is moot and should be dismissed. *See Bailey v. Southerland*, 821 F.2d 277, 278 (5th Cir. 1987).

Conclusion

This petition for writ of habeas corpus, brought pursuant to 28 U.S.C. § 2254, should be dismissed as moot. A final judgment shall be entered in accordance with this Memorandum Opinion.

SIGNED this the **31** day of **August, 2009**.



Thad Heartfield
United States District Judge